

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

**As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.**



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/287,478	04/06/1999	CHRISTIAN STIG RODE	RCI001VI	6350

7590 07/15/2004

RODE CONSULTING INC
2412 STEARNS HILL ROAD
WALTHAM, MA 02451

EXAMINER

PHAN, THAI Q

ART UNIT	PAPER NUMBER
----------	--------------

2128

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/287,478	Applicant(s) RODE, CHRISTIAN STIG	
	Examiner Thai Q. Phan	Art Unit 2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>05/06/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This Office Action is in response to applicant's amendment filed on May 14, 2004. Claims 15 and 16 are newly added. Claims 1-16 are pending now in the Action.

Information Disclosure Statement

The information disclosure statement filed 05/06/2004 fails to comply with 37 CFR 1.97(c) because it lacks the fee set forth in 37 CFR 1.17(p). It has been placed in the application file, but the information referred to therein has not been considered.

Specification

The amendment filed May 14, 2004 is objected to under 35 U.S.C. 132 because it introduces new matter into the disclosure. 35 U.S.C. 132 states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

In the amendment to the specification filed on May 14, 2004, applicant introduces a new matter of "instructions such as Java Virtual Machine bytecodes subsequently executed to programmatically created form elements substantially similar to ... means of an HTML form" (see page 2 of applicant's Amendment, filed on May 2004). Such new matter introduced herein is not supported by the original disclosure of the invention.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 1 recites the limitations "such as" and "etc" in step (b). These limitations render the claim indefinite and unclear to what the applicant intention.

Claim 15 recites the limitation "the identical client" in step (f) of claim 15. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Van Huben et al, US patent no. 5,950,201 in view of Jenkins, Jimmy, US patent no. 6,401,114 B1.

As per claim 1, Van Huben (201) discloses a method and system for computerized design automization using inter-networking (e.g. World Wide Web) for transmitting design or simulation data over the network with feature limitations very similar to the claimed invention (Abstract, "Summary of the Invention"). According to Van Huben, the design simulation and verification method includes steps of creating a transmission network including clients, servers, etc., wherein network clients carrying unique identifier such as addressing to client, account number, etc. (Col. 18, lines 20-25, col. 23, lines 17-49, as example),

transmitting structure design data, accepting data from at least one client (col. 9, line 41 to col. 10, line 20), wherein the structure design data would include user

Art Unit: 2128

interface information (elements) to guide user to enter design data, design information, etc. in different templates and system platforms, such as high level programming languages, PC workstations, UNIX, etc as claimed (cols. 44-45, 63), merging design form data with other data including template data for concurrent processing, processing merged data for output,

simulating functional design with merged data using user interactive window program, and transmitting design simulation data with compatible format to client as claimed (col. 6, lines 54-67, col. 9, line 53 to col. 11, line 55, col. 16, line 33 to col. 18, line 64, col. 20, line 27 to col. 22, line 65, cols. 33, 44-45, 51, 85-88). Van-Huben does not expressly disclose a unique identifier with a display list of user interface in Web Browser, or software instruction for creating a similar client user interface as claimed. Such feature is however well-known in a computer network, especially in the internet application. In fact, Jenkins teaches a computer network to provide user or client with program applications to perform user's task. The network transmits a unique identifier to create user client interface, to request actions to be taken (col. 2, lines 11-17), and to identify user logging onto the network server (col. 3, lines 1-34) for user client interface (cols. 3-5, Table 2).

This would motivate practitioner in the art at the time of the invention was made to combine cookies in network browser as taught in Jenkins into user network interface of Van Huben in order to identify user when logging into the network server, and to help user to track and request action to be performed in the network server.

As per claim 2, Van Huben also requires some of steps in claim 1 being repeated for design changes or for a new design.

As per claim 3, Jenkins teaches various user interfaces for data rendering implemented in different operating system, wherein such implemented user interface including web browsers or cookies.

As per claims 4-6, Jenkins teaches a unique identifier such as web cookies to identify user logging onto the network server (col. 3, lines 1-34) for user interface (cols. 3-5). With the motivation as above, it would have been obvious for practitioner in the art at the time of the invention was made to combine web cookies into user network interface to access to the network server. The user unique identification is generated from the server for user to gain access to the network. Van Huben (5,950,201) also discloses checksum verification to validate user authorization or authority level access (cols. 23 and 24). User's identifier is randomly generated with high fidelity or with high reliable probability due to special code generation for network secure and transaction, for example.

As per claim 7, Van Huben discloses such claimed limitations as in design database (cols. 23-24), network interface to allow user to access to design databases, . Jenkins also teaches method for managing and distributing resource in a computer web for circuit design and simulation with feature limitations as claimed (col. 1, line 55 to col. 2, line 10, col. 2, lines 59 to col. 3, line 17, col. 5). Van Huben ('201) also teaches circuit simulation resources for management include simulation databases for storing users' simulation files, user's simulation records or files (col. 6, line 35 to col. 8, line 16) usually

Art Unit: 2128

stored with record identification for accessing and retrieving simulation records to update current simulation, records associated with executable design database which would typically include unique identification for database set, design record (database) update to current for later use, simulation account in BOM, simulation time depending on levels, skills, etc. as claimed (cols. 12-15, 27-30, for example).

As per claim 8, Van Huben (201) discloses process prioritized for scheduling and resources distribution for automation design tool (CAD) in network server for multiprocessing environment (col. 2, lines 40-45, col. 4, lines 1-19, col. 5, lines 12-21, lines 58-64, col. 6, lines 5-26).

As per claim 9, Van Huben (201) discloses transmitting design data to clients which would include form structure data, accepting the structure data and topology data for circuit design, simulating the design data, and synthesizing the design according to design data flow. Jenkins teaches options to store design files on network sever (Figs. 5-7, col. 3, line 19 to col. 5, line 66).

As per claim 10, due to the similarities of claim 10 to claim 1, and Van Huben (201) discloses methods and systems for computerized design automization using inter-networking (e.g. World Wide Web) for transmitting design or simulation data very similar to the claimed invention (Abstract, "Summary of the Invention"). According to Van Huben, the design simulation and verification method includes steps:

creating a transmission network including clients, servers, etc., wherein network clients carrying unique identifier such as addressing, account number, etc. (Col. 18, lines 20-25, col. 23, lines 17-49, as example),

transmitting structure design data, accepting data from at least one client (col. 9, line 41 to col. 10, line 20), merging form data with other data including template data for concurrent processing, processing merged data for output, simulating functional design with merged data using user interactive window program, and

transmitting design simulation data to client as claimed (col. 6, lines 54-67, col. 9, line 53 to col. 11, line 55, col. 16, line 33 to col. 18, line 64, col. 20, line 27 to col. 22, line 65, cols. 33, 44-45, 51, 85-88). Van-Huben does not expressly disclose a unique identifier in client web browser as claimed. Such feature is however well-known in a computer network, especially in the internet application. In fact, Jenkins teaches a computer network to provide user or client with program applications to perform a user's task. The network transmits a unique identifier to identify user logging onto the network server (col. 3, lines 1-34) for user interface (cols. 3-5).

This would motivate practitioner in the art at the time of the invention was made to combine cookies in network browser as taught in Jenkins into user network interface of Van Huben in order to identify user when logging into the network server.

As per claim 11, Van Huben ('201) discloses privilege mode and mode selection for user over simulation network.

As per claim 12, Van Huben (201) discloses the user client in a network of workstations and web browser. Each user client station carries a unique identification may be saved in client's browser (col. 9, "Platform") in order to identify user workstation for tracking, security, and other purposes to improve network quality. Van Huben teaches user web browser to access, retrieve, and perform user's work such simulation

of circuit, verification of user design, etc. over a distributed CAD design system over a computer network (Figs. 3-10, 19, 20, cols. 10-20, 44-50).

As per claim 13, Jenkins discloses user form data together with user unique identification number are logged for performing user task such as for circuit simulation or debugging purpose (Figs. 4, 5, cols. 3-5). Jenkins also teaches local or remote databases (Fig. 5), and mechanisms to get file in different data formats such as graphical, textual files, parameter files in computer file through user interface web browser cookies which inherently includes HTTP, for example, in order to initiate simulation, billing tasks, etc. over a computer network (Figs. 3-5).

As per claim 14, Jenkins teaches web based browser including web cookies with the features as claimed (such as creating and transmitting web cookies to users such that user can access to the network as claimed).

As per claim 15, Van Huben discloses a network of computers comprising at least one Client, said at least one Client including memory means containing instructions for a Browser, and at least one Server communicatively couplable to said at least one Client, said at least one Server including memory means containing instructions for implementing a simulation method, said simulation method comprising the steps of:

Creating and transmitting data structure for simulation to said at least one Client (col. 9, line 41 to col. 10, line 20),

Transmitting Form Structure Data to said at least one Client (col. 9, line 41 to col. 10, line 20),

Accepting User Form Data from said at least one Client,
Merging said Form Data from said at least one Client with other data
including template data to generate a design repository or for data management (col.
10, lines 22-53, col. 11, lines 12-34, for example),

Processing said merged data to produce output data, wherein said output
data are functions of a simulation and in a format compatible with said at
least one Client Browser instructions (col. 6, lines 54-67, col. 9, line 53 to col. 11, line
55, col. 16, line 33 to col. 18, line 64, col. 20, line 27 to col. 22, line 65, cols. 33, 44-45,
51, 85-88),

While processing said merged data to produce output data, simultaneously
capable of accepting and processing new User Form Data from the identical Client,
reception of said new User Form Data causing present execution of simulation method
to be aborted and associated resources freed in favor of processing of said new User
Form Data. Where such replacement data is received, step g of the present simulation
method instance is not executed. If no such replacement data is received,
processing completes and step g is executed,

And transmitting said output data to said at least one Client. Van-Huben does
not expressly disclose a unique identifier in client web browser as claimed. Such
feature is however well-known in computer networking, especially in the internet
application. In fact, Jenkins teaches a computer network to provide user or client with
program applications to perform user's task. The network transmits a unique identifier

Art Unit: 2128

to identify user logging onto the network server (col. 3, lines 1-34) for user interface (cols. 3-5).

This would motivate practitioner in the art at the time of the invention was made to combine cookies in network browser as taught in Jenkins into user network interface of Van Huben in order to identify user when logging into the network server.

As per claim 16, Van Huben discloses processing a plurality of simulations from single client concurrently, and reducing simulation process as claimed including aborting simulation process, keeping the last simulation process results, etc. as known for those skilled in the simulation and a practice in simulation processing.

Response to Arguments

Applicant's arguments to the amendment filed May 14, 2004 have been fully considered but they are not persuasive.

In response to applicant's argument the status of Jenkins as prior art is in doubt (page 8, paragraph 2), the examiner responds the present application claims benefit on Apr. 06, 1998, wherein the Jenkins patent claims the benefit of the provisional application, filed on May 1, 1997 before the claim benefit of the present application. Accordingly, Jenkin is a prior art of the present application.

In response to applicant's argument there is no suggestion of using such a UI in managing server resources and a means to index complex server state (pages 8 and 9), the examiner responds such argued limitations are not present at least in claim 1 for consideration.

In response to applicant's argument about the novelty of dependent claim 3 (page 9), the examiner disagrees with because Jenkins teaches various user interface and data rendering in the interface implemented in different operating system, wherein such implemented user interface includes web browsers.

In response to applicant's argument there is no suggestion the Unique Identifier is associated with indexing complex server state for management of temporary files related to dependent claim 4 (page 9), the examiner disagrees because the Unique Identifier in the independent claim 1 above is not associated with indexing complex server states as applicant argued, and Jenkin teaches the Unique Identifier for network interface and accessing to the network by user client interface.

In response to applicant's argument neither Van Huben nor Jenkins discloses CAD applications and CAD simulation in a computer network, and simulation count limits as cited in claim 7 (page 9), the examiner disagrees with. Van Huben discloses a computer network being used to simulate computer aided circuit design and automation design tools in CAD automation design environment to assist user in designing a complex circuit and verifying design process (col. 4, lines 1-19, col. 5, lines 12-21, lines 58-64, col. 6, lines 5-26, col. 6, lines 35-53, for example). Van Huben also discloses simulation time and/or simulation count depending on levels of the designers, details of design verification, category classification, etc.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Q. Phan whose telephone number is 703-305-3812. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Teska can be reached on 703-305-9704. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2128

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

July 06, 2004

Thaifhan
Thai Phan
Patent Examiner
AU: 2128